

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CARRIE PURVIS
317 Old Trail
Enid, OK 73703,

Plaintiff,

vs.

CIVIL ACTION

LEADING EDGE RECOVERY
SOLUTIONS, LLC
5440 N. Cumberland Avenue, Suite 300
Chicago, IL 60656-1490

NO.

and

LVNV FUNDING, LLC
625 Pilot Road, Suite 3
Las Vegas, NV 89119

Defendants

COMPLAINT

I. INTRODUCTION

1. This is an action for damages brought by a consumer pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 (“FDCPA”).

2. The FDCPA prohibits debt collectors from engaging in unfair or unconscionable practices in the collection of a consumer debt.

3. Defendant is subject to strict liability for sending a collection letter to Plaintiff in New Jersey that exposes personal identifying information visibly on the envelope placed into the mails.

II. JURISDICTION

4. Subject matter jurisdiction of this Court arises under 15 U.S.C. §1692k, actionable through 28 U.S.C. §§1331 and 1337.

5. Venue is proper as defendant regularly does business in this district and has caused harm in this district. At the time of the incident, the Plaintiff was a resident of New Jersey, residing at 1408 Janvier Road, Williamstown, NJ 08094-3971.

III. PARTIES

6. Plaintiff Carrie Purvis (“Plaintiff” or “Purvis”) is a consumer who currently resides in Enid, Oklahoma, at the address captioned.

7. Defendant Leading Edge Recovery Solutions (“Defendants” or “Leading Edge”) is a debt collector with a principal place of business at the address captioned.

8. Defendant LVNV Funding, LLC (“Defendants” or “LVNV”) is a Delaware limited liability company with a principal place of business at the address captioned.

9. Defendants regularly engage in the collection of consumer debts using the mails and telephone.

10. Defendants regularly attempt to collect consumer debts alleged to be due another.

11. Defendants are “debt collectors” as that term is contemplated in the FDCPA, 15 U.S.C. § 1692a(6).

IV. STATEMENT OF CLAIM

12. On or about August 26, 2014, Defendant Leading Edge mailed a collection notice to Plaintiff in an attempt to collect an LVNV Funding, LLC debt alleged due. A copy of the August 26, 2014 letter is attached hereto as Exhibit A (redacted in part per Fed. R. Civ. P. 5.2).

13. The underlying debt alleged due was incurred primarily for personal, family or household use.

14. The collection letter was mailed by Defendants to Plaintiff in a window envelope.

15. Visible through the window of the envelope placed into the mails was the account number that Defendants assigned to Plaintiff and her account.

16. The account number (ending in 4397) constitutes personal identifying information.

17. The FDCPA prohibits the use of unfair or unconscionable means to collect or attempt to collect a debt, including the use of any language or symbol other than the debt collector's name and address on any envelope when communicating with a consumer by mail. 15 U.S.C. § 1692f(8).

18. The account number is a piece of information capable of identifying Purvis as a debtor, and its disclosure has the potential to cause harm to a consumer that the FDCPA was enacted to address.

COUNT I
(FAIR DEBT COLLECTION PRACTICES ACT)

19. Plaintiff repeats the allegations contained above as if the same were here set forth at length.

20. Defendants' acts described above violated the Fair Debt Collection Practices Act by the use of language or a symbol on any envelope when communicating with a consumer by mail, in violation of 15 U.S.C. § 1692f(8).

WHEREFORE, Plaintiff Carrie Purvis demands judgment against Defendants Leading Edge Recovery Solutions and LVNV Funding, LLC for:

- (a) Damages;
- (b) Attorney's fees and costs; and
- (c) Such other and further relief as the Court shall deem just and proper.


VII. JURY DEMAND

Pursuant to Fed.R.Civ.P. 38, Plaintiff demands trial by jury as to all issues so triable.

Respectfully submitted:

DATE:

Aug 21, 2015

A handwritten signature in blue ink, appearing to read "Cary L. Flitter", written over a horizontal line.

CARY L. FLITTER
THEODORE E. LORENZ
ANDREW M. MILZ
Attorneys for Plaintiff

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EXHIBIT "A"

Y16E5CC8D6



PO Box 129
Linden MI 48451-0129
ADDRESS SERVICE REQUESTED



LEADING EDGE RECOVERY SOLUTIONS

August 26, 2014

Account #	Client Reference #	Balance
████████4397	*****5700	████████
Original Creditor		
CITIBANK (SOUTH DAKOTA), N.A.		



████████4397 - ██████████187
Carrie Lewis
1408 Janvier Rd
Williamstown, NJ 08094-3971

Leading Edge Recovery Solutions, LLC
5440 N Cumberland Ave STE 300
Chicago, IL 60656-1490

*** Detach Upper Portion and Return with Payment ***

497--00010-05/22/12

Account #	Client Reference #	Balance
████████4397	*****5700	████████
Current Creditor		
LVNV Funding LLC		

Dear Carrie Lewis,

Per your authorization, we will process the transfer of \$57.00 from your account on 08/31/2014. A check-by-phone convenience fee of \$7.00 will be charged in addition to your scheduled payment.

Bank Name: GCF BANK
Bank Routing Number: *****1145
Bank Account Number: *****6602

Should you have any questions it is important to contact the undersigned before the deposit date.

Sincerely,

Collections Department
(855) 440-6627

Hours of Operation:

Monday-Thursday 8:00am - 9:00 pm CST / Friday 8:00am - 5:00 pm CST / Saturday 8:00am - 12 Noon CST

This is an attempt to collect a debt by a debt collector. Any information obtained will be used for that purpose.

PLEASE SEE REVERSE SIDE FOR IMPORTANT INFORMATION

12345678-000497-01-1-AA



To pay by phone, please call us at (855) 440-6627

For Western Union Quick Collect:
Pay to: LERS Code City/State: LERS, IL
Please include your Account Number
